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February 17, 2020

VIA ELECTRONIC MAIL ONLY - <https://foiaonline.gov/foiaonline/action/public/request>

FOIA Online Request
United States Environmental Protection Agency, Region 3

Re: Records Pertaining to Mark Liberty Midstream & Resources, LLC, Notice of
Violation and Finding of Violation EPA-03-2016-0008, Issued April 4, 2016

To whom it may concern:

I am writing to obtain copies of all documents in the possession, custody and/or control of the U.S. Environmental Protection Agency, Region 3 ("EPA") under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, pertaining or related to a Notice of Violation and Finding of Violation EPA-03-2016-0008 issued by EPA to Mark Liberty Midstream & Resources, LLC ("Mark West") on or about April 4, 2016 and, more specifically, all documents pertaining to EPA's claims against Mark West, and Mark West's responses to EPA's claims alleging Mark West's violation of 40 C.F.R. Part 60, Subpart NNN (Standards of Performance for VOC From Synthetic Organic Chemical Manufacturing Industry Distillation Operations).

Under cases interpreting FOIA, I believe that documents related to the June 9, 2014 information request are available to me and to other members of the public. Your agency is believed to have custody of these documents. If it does not, I request prompt notice of their current location. If any portion of this request is denied, I request a detailed statement of the reasons for the withholding and an index or similar statement of the nature of the documents withheld. If EPA claims privilege as related to these documents, please provide me a detailed index analyzing each claim of privilege along with a specific listing of every document for which a privilege was claimed. *See Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), *cert. denied* 415 S. 977 (1974).

To expedite this request, I would be willing to discuss specific instances of deletion or other exemption claimed in advance of a final decision by the agency. I will pay reasonable charges incurred for the search and copying of the documents upon the presentation of an invoice and the requested documents. In addition, any copies of documents provided to me should be certified as authentic copies from EPA's files. Finally, to minimize copying expenses

and expedite the transmittal of documents to be produced by EPA in response to this request, the documents can be supplied to me by electronic mail and/or by U.S. Mail on CD ROM.

Thank you.

Sincerely yours,

/s/ Jeffrey W. Schwarz

Jeffrey W. Schwarz